

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 5-19-03.

### I. DISPUTE

Whether there should be **additional** reimbursement for CPT code 22899 (X2)

### II. FINDINGS

The respondent denied reimbursement based upon "M No MAR."

Section 413.011(b) of the Act states, "Guidelines for medical services must be fair and reasonable and designed to ensure the quality of medical care and to achieve effective medical cost control. The guidelines may not provide for payment of a fee in excess of the fee charged for similar treatment of an injured individual of an equivalent standard of living and paid by that individual or by someone acting on that individual's behalf. The commission shall consider the increased security of payment afforded by this subtitle in establishing the fee guidelines."

### III. RATIONALE

| DOS    | CPT CODE  | Billed         | Paid                   | EOB Denial Code | MAR\$ (Maximum Allowable Reimbursement) | Reference  | Rationale  |
|--------|-----------|----------------|------------------------|-----------------|---|--|--|
| 1-1-02 | 22899(X2) | \$9875.00 each | \$2149.38<br>\$ 316.25 | M               | DOP                                     | Section 413.011(b) General Instructions GR (III) | The requestor did not support amount billed complied with Section 413.011(b) and that additional reimbursement is due. |

### IV. DECISION

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is not** entitled to reimbursement for CPT code (22899).

The above Findings and Decision are hereby issued this 18th day of March 2004.

Elizabeth Pickle  
Medical Dispute Resolution Officer  
Medical Review Division